


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 25 2006

JOHN F. CORCORAN, CLERK
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MICHAEL J. DAVIS,
Petitioner,

)
) Civil Action No. 7:06-cv-00482
)

) FINAL ORDER
)

GENE JOHNSON,
Respondent.

) By: Samuel G. Wilson
) United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED and ADJUDGED

that Davis's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** and shall be **STRICKEN** from the active docket of the court.

Davis is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is directed to send a certified copy of this order and accompanying Memorandum Opinion to the petitioner and counsel of record for the respondent.

ENTER: This 25th day of September, 2006.


United States District Judge